

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ROSS UNIVERSITY SCHOOL OF
MEDICINE, LTD.,

09 Civ. 1410 (KAM) (RLM)

Plaintiff,

NOTICE OF MOTION

– against –

BROOKLYN-QUEENS HEALTH CARE,
INC. and WYCKOFF HEIGHTS MEDICAL
CENTER,

Defendants.

—X—

PLEASE TAKE NOTICE that Plaintiff Ross University School of Medicine, Ltd., by its attorneys Baker & Hostetler LLP, upon the accompanying Memorandum of Law and exhibits thereto, will move this Court, before the Honorable Kiyo A. Matsumoto, United States District Judge, Eastern District of New York, United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York, 11201, for an order pursuant to Fed. R. Evid. 403 and 702 to preclude defendants' Fed. R. Civ. P. 26(a)(2) witness Anthony G. Duffy and for such other relief as this Court deems proper.

Respectfully submitted,

BAKER & HOSTETLER LLP

/ s/ George Tzanetopoulos

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CERTIFICATE OF SERVICE

I, George J. Tzanetopoulos, attorney for Ross University School of Medicine, Ltd., certify that on December 2, 2011, I caused a true and correct copy of the foregoing **Notice of Motion and Memorandum of Law in Support of Motion to Preclude Defendants' Expert Witness and Exhibits** to be served upon counsel of record listed below by email and by overnight courier:

Walter P. Loughlin
Justin H. Roeber
K&L Gates
599 Lexington Avenue
New York, New York 10022-6030

/s/ George J. Tzanetopoulos